UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,814	11/04/2003	Jeff Kline	58674 (46910)	6248

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EXAMINER
TAYLOR, NICHOLAS R

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 November 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

   4a) Of the above claim(s) <u>1-6 and 22-25</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>7-21 and 26-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) <u>1-28</u> are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
       Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
       Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

I.   Claims 1-6 and 22-25, drawn to converting entered website data into tagged objects, classified in class 707, subclass 102.

II.   Claims 7-21 and 26-28, drawn to website access based on user rights information, classified in class 709, subclass 229.

2.   The inventions are distinct, each from the other because of the following reasons: Inventions I, and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention Group I has separate utility as a method for converting input data into redundancy preventing tagged objects, and Group II has utility as a method for determining user access rights while notifying the user of their current access level.

3.   Because these inventions are distinct for the reasons given above and the search required for each group is not required for the other groups, restriction for examination purposes as indicated is proper.

4.   During a telephone conversation with Mr. Howard Gitten on 7/7/2005 a

provisional election was made without traversal to prosecute the invention of Group II,

claims 7-21 and 26-28.

Affirmation of this election must be made by applicant in replying to this Office

action. Claims 1-6 and 22-25 are withdrawn from further consideration by the examiner,

37 CFR 1.142(b), as being drawn to a non-elected invention.

5.   Claims 7-21 and 26-28 have been examined and are rejected.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b),
> by another filed in the United States before the invention by the applicant for patent or (2) a
> patent granted on an application for patent by another filed in the United States before the
> invention by the applicant for patent, except that an international application filed under the treaty
> defined in section 351(a) shall have the effects for purposes of this subsection of an application
> filed in the United States only if the international application designated the United States and
> was published under Article 21(2) of such treaty in the English language.

7.   Claims 7, 8, 10-21, and 26-28 are rejected under 35 U.S.C. 102(e) as being

anticipated by Block et al. (US PGPub 2003/0050976.)

8.   As per claim 7, Block teaches a method for administering a website wherein the

website is hosted at a server comprising the steps of:

accessing a website by a user;

determining a hierarchal level of the user; and (Block, paragraphs 0107-0108 and figure 2)

providing an indicator to the user of the hierarchal level at which they have accessed the website at the website page (Block, paragraphs 0121-0125, and figures 3-5.)

9.   As per claim 8, Block teaches the system further wherein said indicator is a graphical indicator (Block, figures 3-5.)

10.   As per claim 10, Block teaches the system further comprising the steps of:

storing the hierarchal level of the user at the server;

allowing the user to enter said website at a different hierarchal level than that stored at the server; and

providing a second indicator corresponding to the hierarchal level of the user corresponding to the level of which the user has accessed the website (Block, paragraph 0109.)

11.   As per claim 11, Block teaches a method for administration of a website hosted at a remote server comprising the steps of:

accessing the website;

obtaining login information from the user; (Block, paragraph 0097)

determining at the remote server the access rights of the user based upon

access rights information stored at the remote server;

aggregating the rights of the user; and (Block, paragraphs 0107-0108 and figure

2)

displaying enabling icons at the website corresponding to said aggregated

access rights for said user (Block, paragraphs 0121-0125, and figures 3-5.)

12.   As per claim 12, Block teaches the system further comprising the step of

grouping all users with common access rights into a plurality of respective groups and

storing the groups at the server, determining to which group the user belongs, and

enabling the access rights for the user based upon the rights granted to the group to

which the user belongs (Block, paragraphs 0107-0108 and figure 2.)

13.   As per claim 13, Block teaches the system further comprising the steps of

determining a hierarchal level of the user and providing an indicator to the user of the

hierarchal level of the user at the website (Block, figures 3-5.)

14.   As per claim 14, Block teaches the system further wherein the user accesses the

website at an address corresponding to a hierarchal level, and the indicator indicates

the hierarchal level corresponding to the address (Block, paragraph 0102 and figures 3-

5.)

15.   As per claim 15, Block teaches the system further comprising the step of

accessing the website at an address corresponding to a predetermined access right

(Block, paragraph 0102.)

16.   As per claim 16, Block teaches the system further comprising the steps of

determining whether a user is authorized for access at the address corresponding to the

predetermined access rights utilizing the access right information stored at the remote

server and, if authorized, aggregating the rights of the user (Block, paragraph 0097,

upon login.)

17.   As per claim 17, Block teaches the system further comprising the steps of:

grouping all users with common access rights in respective groups;

storing the respective groups at the server;

determining to which group the user belongs; and

aggregating the rights based upon the rights associated with the specific group to

which the user is a member (Block, paragraphs 0107-0108 and figure 2.)

18.   As per claim 18, Block teaches the system further comprising the step of

accessing the website at a public address, determining whether any access rights for a

user accessing the website at the public address have been stored, and displaying no

icons at said website for said user when no access rights have been stored at the

server for said user (Block, paragraphs 0102 and figure 2, for example the anonymous visitor.)

19.   As per claim 19, Block teaches the system further wherein said icons enable editing of material on the website (Block, paragraph 0101.)

20.   As per claim 20, Block teaches the system further comprising the steps of:

determining a hierarchal level of the user as a function of the rights of the user, and

providing an indicator to the user of the hierarchal level of the user (Block, paragraphs 0121-0125, and figures 2-5.)

21.   As per claim 21, Block teaches the system further comprising the steps of:

storing the hierarchal level of the user at the server;

allowing the user to enter said website at a different hierarchal level than that stored at the server; and

providing a second indicator corresponding to the hierarchal level of the user corresponding to the level of which the user has accessed the website (Block, paragraph 0109.)

22.   As per claim 26, Block teaches a system for administration of a website comprising:

a server, the server storing data for the website and access rights information for system users;

an internet access for accessing the server by a user, the server obtaining login information from the user through the internet access, and (Block, paragraph 0097)

determining the access rights of the server based upon the user access right information, and

aggregating the rights of the user; and (Block, paragraphs 0107-0108 and figure 2)

icons displayed at the website for enabling the user to interface with the website in accordance with said aggregated access rights (Block, paragraphs 0121-0125, and figures 3-5.)

23.   As per claim 27, Block teaches the system further wherein the user access right information is stored in groups of users with common access rights, the server enabling the access rights for the user based upon the rights granted to the group to which the user belongs (Block, paragraphs 0107-0108 and figure 2.)

24.   As per claim 28, Block teaches the system further comprising an indicator displayed at the website to indicate a hierarchal level of the user at the user interface (Block, figures 3-5.)

Claim Rejections - 35 USC § 103

25.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

26.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Block et

al. (US PGPub 2003/0050976) and Swift (US Patent 6,308,274.)

27.   As per claim 9, Block teaches the above, including different graphical indicators

to represent hierarchal levels (Block, figures 3-5.) However, Block fails to teach wherein

the graphical indicator is the color of a significant portion of the website as displayed to

the user, said color corresponding to the hierarchal level of the user.

Swift teaches a method of restricting access based on hierarchal levels (Swift,

Summary) where color is used as a graphical indicator to display the access level to the

user (Swift, column 13, lines 44-56.) It would have been obvious to one of ordinary skill

in the art, at the time the invention was made, to have combined Block and Swift to

provide the color display of Swift in the system of Block, because doing so would make

the current user rights obvious to help prevent accidental mistakes (Swift, column 1,

lines 15-21.)

Conclusion

28.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes US PGPubs: 2001/0011275, 2002/0087894, and 2001/0020244.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Taylor
Examiner
Art Unit 2141

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER